IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Erwin BAYER et al.

Serial No. : 10/538,519

Filed: November 7, 2005

For : FRICTION-WELDING DEVICE

Examiner : Erin Barry SAAD

Art Unit : 1793 Confirmation No. : 3569

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office via the

Office electronic filing system on

Date: February 10, 2009 Signature: /IIelen Tam/ Helen Tam

TRANSMITTAL

SIR:

Transmitted herewith for filing in the above-identified application is a Reply Under 37 C.F.R. § 1.116.

No fee is believed to be required. However, if any fee is required, please use Deposit Account No. 11-0600.

Respectfully submitted, KENYON & KENYON LLP

Dated: February 10, 2009 By: /Clifford A. Ulrich/

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Date: February 10, 2009 Signature: <u>/Helen Tam/</u> Helen Tam

REPLY UNDER 37 C.F.R. § 1.116

SIR:

In response to the Final Office Action of November 13, 2008, kindly reconsider the above-captioned application without prejudice as follows:

Amendments to the Claims are not presented in this paper.

Nevertheless, a **Listing of Claims** begins on page 2 of this paper for the convenience of the Office.

Remarks begin on page 5 of this paper.